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OFFICE OF PETITIONS

In re Application of :
John, et al. :
Application No. 09/730,329 : DECISION ON PETITION
Filed: December 4, 2000 :
Attorney Docket No. 015270-006460US :

This is a decision on the petition under 37 CFR 1.183, filed August 28, 2006.

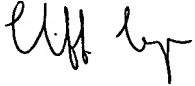
Applicants have filed the instant petition, requesting waiver of 37 CFR 1.125(c), which requires that a substitute specification be submitted with markings showing all changes relative to the immediate prior version of the specification. Applicants explain that they previously filed a substitute specification (with appropriate mark-ups), and two subsequent amendments. The Examiner has objected to the amendments as containing new matter. Applicants state that they now are canceling the previously filed amendments and are reverting to the specification as filed. According to applicants, the substitute specification contains no new matter.

In order for a petition under 37 CFR 1.183 to be granted, petitioner must demonstrate that this is an extraordinary situation where justice requires waiver of the rules.

In view of the facts and circumstances of this case, the petition under 37 CFR 1.183 is **GRANTED**.

The application file is being forwarded to Group Art Unit 1653 for consideration of the substitute specification and the amendment filed August 28, 2006.

Telephone inquiries concerning this decision should be directed to Petitions Attorney Cliff Congo at (571)272-3207.

A handwritten signature in cursive script, appearing to read "Cliff Congo".

Cliff Congo
Petitions Attorney
Office of Petitions